
UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH
CENTRAL DIVISION

MILLROCK INVESTMENT FUND 1, LLC,

Plaintiff,

v.

HEALTHCARE SOLUTIONS
MANAGEMENT GROUP, INC.;
HEALTHCARE SOLUTIONS HOLDINGS
INC.; LANDES CAPITAL MANAGEMENT,
LLC; LANDES AND COMPAGNIE TRUST
PRIVE KB; JOSHUA CONSTANTIN;
JUSTIN SMITH; STUART MCMAHEN;
and BLACK LABEL SERVICES, INC.,

Defendants.

**ORDER AMENDING SCHEDULING
ORDER AND SETTING BRIEFING
DEADLINES FOR PENDING MOTIONS**

Case No. 2:23-cv-00157

Chief District Judge Robert J. Shelby

Magistrate Judge Daphne A. Oberg

The parties who have appeared filed a Stipulated Motion for an Order Amending Scheduling Order and Setting Briefing Deadlines for Pending Motions.¹ In light of the dismissal of Healthcare Solutions Management Group, Inc.'s bankruptcy case, and for good cause shown, the motion is GRANTED. The September 1, 2023 Scheduling Order² is amended as follows, and the following briefing deadlines for pending motions are set:

¹ (Doc. No. 115.)

² (Doc. No. 51.)

1. The deadlines for Plaintiff Millrock Investment Fund 1, LLC to respond to Defendant Justin Smith's Motion to Set Aside Default Judgment³ and Mr. Smith's Motion to Dismiss⁴ are extended to August 6, 2024.

2. The deadline for Millrock to respond to Defendants Joshua Constantin and Stuart McMahan's Motion for Summary Judgment⁵ is extended to July 31, 2024.

3. The deadline to serve written discovery is extended to December 17, 2024.

4. The close of fact discovery is extended to January 17, 2025.

5. The deadline to file a motion for leave to amend pleadings or add parties is extended to September 17, 2024.

6. The deadlines for Rule 26(a)(2) expert disclosures (subject and identity of experts) are extended to:

a. Party(ies) bearing burden of proof: January 17, 2025; and

b. Counter disclosures: February 18, 2025.

7. The deadlines for Rule 26(a)(2) expert reports are extended to:

a. Party(ies) bearing burden of proof: March 4, 2025; and

b. Counter reports: April 4, 2025.

8. The last day for expert discovery is extended to May 6, 2025.

³ (Doc. No. 74.)

⁴ (Doc. No. 75.)

⁵ (Doc. No. 95.)

9. The deadline for filing dispositive or potentially dispositive motions is extended to June 20, 2025.

10. The deadline for filing partial or complete motions to exclude expert testimony is extended to June 20, 2025.

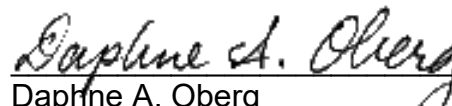
11. The deadline for filing a request for a scheduling conference with the district judge for the purpose of setting a trial date if no dispositive motions are filed is extended to June 27, 2025.

12. The deadline to evaluate this case for settlement/ADR is extended to January 17, 2025.

All other matters, discovery limitations, and dates contained in the Scheduling Order shall remain unchanged by this Order Amending Scheduling Order. **The parties are notified of the District of Utah's strong preference for resolving cases within three years of filing.**⁶ Any future motion for extension will be considered with this preference in mind.

DATED this 9th day of July, 2024.

BY THE COURT:


Daphne A. Oberg
United States Magistrate Judge

⁶ See Civil Case Scheduling Webpage, available at <https://www.utd.uscourts.gov/civil-case-scheduling> ("If the [scheduling order] amendment would cause the case to be pending for more than three years from the date it was commenced, the motion may be denied.").